



Claire McCaskill

Missouri State Auditor

---

June 2005

## DEPARTMENT OF PUBLIC SAFETY

### Office of the Director



Office Of The  
State Auditor Of Missouri  
Claire McCaskill

June 2005

**The following problems were discovered as a result of an audit conducted by our office of the Department of Public Safety, Office of the Director.**

---

The Department of Defense (DOD) Logistical Support 1033 Program makes excess military property available to state and local law enforcement agencies, through the Department of Public Safety – Office of the Director (DPS-OD). The equipment can be obtained at no acquisition cost for use in counter-drug, counter-terrorism, and officer safety activities with over 260 law enforcement agencies participating.

The DPS-OD does not perform on-site monitoring visits to ensure the equipment obtained under the DOD program is being used for the purpose intended. The DPS-OD's equipment tracking system became incompatible with the federal Law Enforcement Support Office (LESO) online information system in October 2003 and the DPS-OD has not corrected this incompatibility. It is difficult for the DPS-OD to create complete inventory listings of DOD 1033 Program equipment by law enforcement agency for use during the monitoring process. A similar condition was also noted in our prior report.

The DPS-OD implemented or partially implemented the remaining audit findings from our previous report dated August 2002.

**All reports are available on our website: [www.auditor.mo.gov](http://www.auditor.mo.gov)**

YELLOW SHEET

DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF THE DIRECTOR

TABLE OF CONTENTS

	<u>Page</u>
STATE AUDITOR'S REPORT .....	1-3
MANAGEMENT ADVISORY REPORT - STATE AUDITOR'S FINDINGS.....	4-5
FOLLOW-UP ON PRIOR AUDIT FINDINGS .....	6-10
HISTORY, ORGANIZATION, AND STATISTICAL INFORMATION.....	11-18
<u>Appendix</u>	
A Comparative Statement of Appropriations and Expenditures, Years Ended June 30, 2004 and 2003 .....	15
B Comparative Statement of Expenditures (From Appropriations), Years Ended June 30, 2004 and 2003 .....	18

## STATE AUDITOR'S REPORT



**CLAIRE C. McCASKILL**  
**Missouri State Auditor**

Honorable Matt Blunt, Governor  
and  
Mark James, Director  
Department of Public Safety  
Jefferson City, MO 65102

We have audited the Department of Public Safety, Office of the Director. The scope of this audit included, but was not necessarily limited to, the years ended June 30, 2004 and 2003. The objectives of this audit were to:

1. Review internal controls over significant management and financial functions.
2. Review compliance with certain legal provisions.
3. Evaluate the economy and efficiency of certain management practices and operations.

Our methodology to accomplish these objectives included reviewing written policies, financial records, and other pertinent documents; interviewing various personnel of the agency; and testing selected transactions.

In addition, we obtained an understanding of internal controls significant to the audit objectives and considered whether specific controls have been properly designed and placed in operation. We also performed tests of certain controls to obtain evidence regarding the effectiveness of their design and operation. However, providing an opinion on internal controls was not an objective of our audit and accordingly, we do not express such an opinion.

We also obtained an understanding of legal provisions significant to the audit objectives, and we assessed the risk that illegal acts, including fraud, and violations of contract, grant agreement, or other legal provisions could occur. Based on that risk assessment, we designed and performed procedures to provide reasonable assurance of detecting significant instances of noncompliance with the provisions. However, providing an opinion on compliance with those provisions was not an objective of our audit and accordingly, we do not express such an opinion.

Our audit was conducted in accordance with applicable standards contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and included such procedures as we considered necessary in the circumstances.

The accompanying History, Organization, and Statistical Information is presented for informational purposes. This information was obtained from the agency's management and was not subjected to the procedures applied in the audit of the agency.

The accompanying Management Advisory Report presents our findings arising from our audit of the Department of Public Safety, Office of the Director.

A handwritten signature in black ink, reading "Claire McCaskill". The signature is fluid and cursive, with the first name "Claire" written in a larger, more prominent script than the last name "McCaskill".

Claire McCaskill  
State Auditor

April 11, 2005 (fieldwork completion date)

The following auditors participated in the preparation of this report:

Director of Audits:	Kenneth W. Kuster, CPA
Audit Manager:	Alice M. Fast, CPA
In-Charge Auditor:	Dan Vandersteen, CPA
Audit Staff:	Cliff Lewton, CPA
	Heather Stiles

MANAGEMENT ADVISORY REPORT -  
STATE AUDITOR'S FINDINGS

DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF THE DIRECTOR  
MANAGEMENT ADVISORY REPORT-  
STATE AUDITOR'S FINDINGS

**Department of Defense Logistical Support Program**

The Department of Defense (DOD) Logistical Support 1033 Program makes excess military property available to state and local law enforcement agencies, through the Department of Public Safety-Office of the Director (DPS-OD). The equipment can be obtained at no acquisition cost for use in counter-drug, counter-terrorism, and officer safety activities. Over 260 law enforcement agencies have participated and received property since the program's inception.

The DPS-OD does not perform on-site monitoring visits to ensure the equipment obtained under the DOD program is being used for the purpose intended. The DPS-OD indicated that due to staffing constraints and the fact their equipment tracking program has not been fully operational, they have been unable to perform any monitoring. The DPS-OD's equipment tracking system became incompatible with the federal Law Enforcement Support Office (LESO) online information system when LESO performed an update in October 2003. Currently, the DPS-OD has not corrected this incompatibility and it is difficult for the DPS-OD to create complete inventory listings of DOD 1033 Program equipment by law enforcement agency for use during the monitoring process.

To ensure the equipment is used for the intended purpose, formal on-site monitoring procedures should be performed and documented on a regular basis. To enhance its ability to perform such monitoring procedures, the DPS-OD should correct the current incompatibility between its equipment tracking system and the LESO online system.

A similar condition was also noted in our prior report.

**WE AGAIN RECOMMEND** the DPS-OD ensure formal on-site monitoring procedures are performed and documented on a regular basis. In addition, the DPS-OD should correct the incompatibility between its equipment tracking system and the LESO online system.

**AUDITEE'S RESPONSE**

*We concur. The Office of the Director has already started reviewing monitoring procedures for the DOD program. Additionally, we are in the process of identifying the programming problems that exist between our equipment tracking system and the LESO online system. Once the problems have been identified, we will take the necessary steps to get them resolved.*



## FOLLOW-UP ON PRIOR AUDIT FINDINGS

DEPARTMENT OF PUBLIC SAFETY – OFFICE OF THE DIRECTOR  
FOLLOW-UP ON PRIOR AUDIT FINDINGS

In accordance with *Government Auditing Standards*, this section reports the auditor's follow-up on action taken by the Department of Public Safety – Office of the Director (DPS-OD) on findings in the Management Advisory Report (MAR) of our prior audit report issued for the two years ended June 30, 2001.

The prior recommendation which has not been implemented, but is considered significant, is repeated in the current MAR. Although the remaining unimplemented recommendation is not repeated, the Department of Public Safety – Office of the Director should consider implementing this recommendation.

1. Monitoring and Reporting of Grants

- A. During our review of the various grants administered by the DPS-OD, we noted that monitoring visits were not performed and reports were not submitted by the contractors of various grants.
- B. The DPS-OD had not established a performance measurement system to periodically evaluate the results or outcomes of the various grant programs they administer.

Recommendation:

- A. Perform formal on-site monitoring procedures of all grant contracts on a regular basis and document the results of this monitoring. In addition, the DPS-OD should ensure reports are submitted as required by contract guidelines.
- B. Establish a performance measurement system to periodically evaluate the results or outcomes of the various grant programs.

Status:

A&B. Implemented

2. Expenditures

- A. The DPS-OD had sponsored Community Mobilization and Partnership conferences. During our review of the conferences, we noted expenditures totaling \$22,300 which appeared to be excessive and unnecessary.
- B. Bids were not always solicited by the DPS-OD for various conference expenses including meals and refreshments, audio equipment rental, and lodging.

- C. Multi-jurisdictional task forces could receive up to 16 percent of their annual Narcotics Control Assistance Programs (NCAP) award in advance for initial operating costs. The DPS-OD did not require the task forces to submit expenditure reports for these advances to document how the funds were spent until the end of the funding period.
- D. Fourteen invoices reviewed were not supported by a purchase requisition.
- E. The DPS-OD approved payment of some invoices without adequate supporting documentation.
- F. The DPS-OD and the Department of Mental Health over funded the salary of a Leadership through Education and Advocacy for the Deaf (LEAD) Institute legal advocate position by approximately \$7,000.

Recommendation:

- A. Review expenditures for future conferences and ensure the costs of the conferences are reasonable and necessary.
- B. Solicit bids for all purchases in accordance with state law.
- C. Require documentation to support the expenditure of all cash advances.
- D. Ensure purchase requisitions are prepared and properly approved prior to purchases of goods and services.
- E. Require adequate documentation for all expenditures. In addition, when meals are provided, supporting documentation should include a list of all individuals who received meals.
- F. Review future LEAD Institute contracts to ensure over funding of positions does not occur. In addition, the DPS-OD should consider recouping amounts over funded to the LEAD Institute.

Status:

A-F. Implemented.

3. Peace Officer Standards and Training Fees

- A. The DPS-OD had not established procedures to ensure that the POST program receives all POST fees assessed and collected by the courts. In addition, no procedures existed to identify courts not properly remitting POST fees to the DPS-OD.

- B. During our review of POST fees remitted to the DPS-OD from five courts, we noted that the DPS-OD posted numerous receipts from each of the courts to eight law enforcement agencies' accounts in error.

Recommendation:

- A. Establish procedures to monitor payments being made by the courts and follow up with the courts when POST fees are not remitted on a regular basis.
- B. Establish procedures to properly record all POST fees collected from the courts and accurately distribute these collections to the applicable law enforcement agencies. In addition, the DPS-OD should seek reimbursement of the overpayments noted above and properly distribute to the applicable parties.

Status:

- A. Implemented.
- B. Partially implemented. While the DPS-OD has established procedures to properly record all POST fees collected from the courts and accurately distribute these collections to the applicable law enforcement agencies, the \$500 overpayment to the Joplin Police Department has not been corrected. While not repeated in the current MAR, our recommendation remains as stated above.

4. Department of Defense Logistical Support Program

The Department of Defense (DOD) Logistical Support 1033 Program makes excess military property available to state and local law enforcement agencies, through the DPS-OD.

- A. The DPS-OD did not perform on-site monitoring visits to ensure the equipment obtained under the DOD program is being used for the purpose intended.
- B. The DPS-OD had not performed reconciliations of the equipment obtained by law enforcement agencies through the DOD program.

Recommendation:

- A. Ensure formal on-site monitoring procedures are performed and documented on a regular basis.
- B. Perform annual documented reconciliations of the equipment obtained by law enforcement agencies through the DOD program.

Status:

- A. Not implemented. See MAR.

- B. Partially implemented. While the DPS-OD currently performs documented reconciliations of the equipment obtained by law enforcement agencies through the DOD program, the overall effectiveness of such procedures are limited because the DPS-OD's equipment tracking system has not been maintained on an up-to-date basis. See MAR.

5. Loaned Equipment

The DPS-OD administers the Law Enforcement Equipment Program (LEEP) and the Community Oriented Policing Equipment Association (COPEA) which provides law enforcement agencies with equipment such as laptop computers, printers, and bicycles on a loan basis.

- A. The DPS-OD did not perform on-site monitoring visits to ensure the equipment obtained under the LEEP and the COPEA program is being used for the purpose intended.
- B. The DPS-OD did not retain documentation of any of the required quarterly LEEP reports received from the ten law enforcement agencies reviewed. Seven of the ten law enforcement agencies reviewed did not always submit a COPEA semi-annual status report, and the remaining three agencies did not submit the COPEA semi annual status reports in a timely manner.

Recommendation:

- A. Ensure formal on-site monitoring procedures are performed and documented on a regular basis for the LEEP and the COPEA programs.
- B. Receive and retain quarterly and semi-annual reports for all LEEP and COPEA equipment on a timely basis in compliance with state guidelines.

Status:

No longer applicable. The DPS-OD discontinued the LEEP and COPEA programs during fiscal year 2002.

HISTORY, ORGANIZATION, AND  
STATISTICAL INFORMATION

DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF THE DIRECTOR  
HISTORY, ORGANIZATION, AND STATISTICAL INFORMATION

The Department of Public Safety, established by the "Omnibus State Reorganization Act of 1974," is responsible for coordinating statewide law enforcement for the purpose of ensuring a safe environment for Missouri citizens. The department's mission is to provide a safe and secure environment for all individuals, through efficient and effective law enforcement, national defense, disaster preparedness, service to veterans, and education.

The Department of Public Safety is organized into nine separate divisions: Office of the Director; Missouri Gaming Commission; Missouri State Highway Patrol; Missouri State Water Patrol; Division of Alcohol and Tobacco Control; Division of Fire Safety; Missouri National Guard (Office of the Adjutant General); State Emergency Management Agency; and the Veterans' Commission. In August 1993, the Missouri Capitol Police was transferred from the Office of Administration to the Department of Public Safety. In August, 2003, the Division of Highway Safety was merged by Executive Order from the Department of Public Safety into the Missouri Department of Transportation. Governor Holden created the Missouri Office of Homeland Security on September 26, 2001. The Office reported directly to the governor and was charged to assist the governor in leading Missouri's response to the disaster of September 11, 2001. In February 2005, Governor Blunt appointed Michael Chapman as Deputy Director of the Department of Public Safety. In that role, Mr. Chapman will also oversee the State's homeland security efforts, thus effectively merging Homeland Security functions into the Department of Public Safety.

The director of the Department of Public Safety is responsible for developing public safety programs, police officer training and certification, and providing legislative guidance on law enforcement issues. Additionally, the director is responsible for overseeing distribution of federal funds through grants for narcotics, victims' assistance, and juvenile justice.

The Department of Public Safety manages the police training and certification program as established by state law and by the rules and regulations of Missouri's Peace Officer Standards and Training Commission as specified in Chapter 590, RSMo. No board member of the commission shall receive any compensation for the performance of his official duties. At June 30, 2004, the members of the commission were as follows:

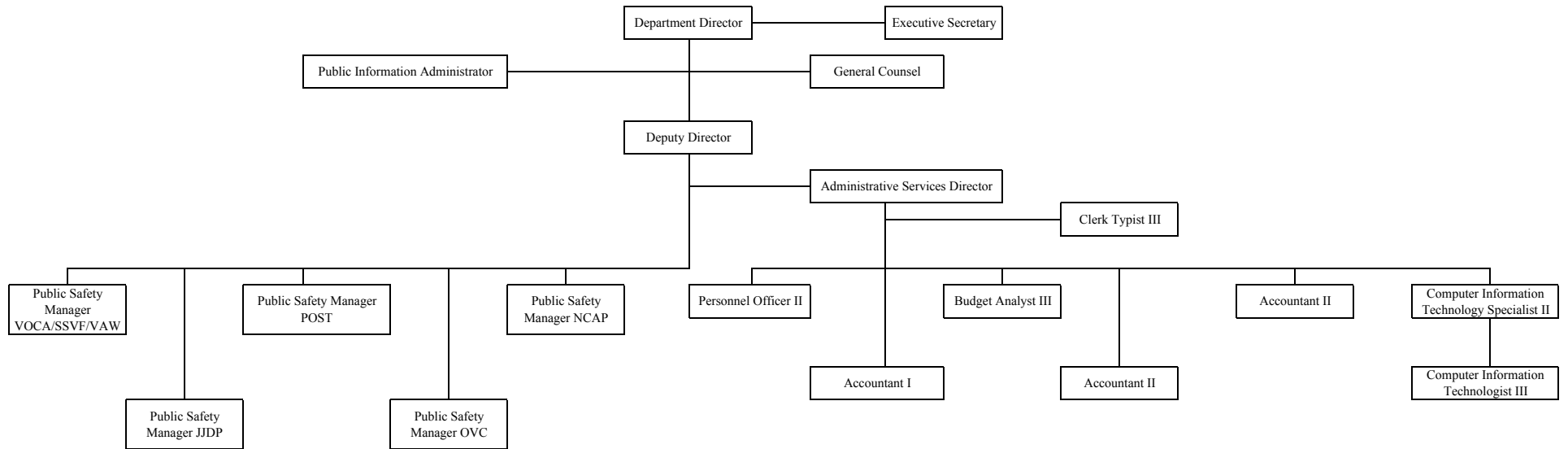
<u>Member</u>	<u>Term Expires</u>
Lt. Londell Jamerson, II	October 3, 2006
Chief Laura R. Webster	October 3, 2005
Sheriff Dennis D. Martin	October 3, 2004
Sheriff Richard L. Hill	October 3, 2005
Mark Byington	October 3, 2006
Sheriff Gary F. Toelke	October 3, 2005
Rev. David P. Ballenger	October 3, 2005

Charles Jackson served as Director from June 2001 until February 2005. In March 2005, Mark James was appointed Director and is presently serving in that capacity.

An organization chart follows.



DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF THE DIRECTOR  
ORGANIZATION CHART  
JUNE 30, 2004



Appendix A

DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF THE DIRECTOR  
COMPARATIVE STATEMENT OF APPROPRIATIONS AND EXPENDITURES

	Years Ended June 30,					
	2004			2003		
	Appropriation Authority	Expenditures	Lapsed Balances	Appropriation Authority	Expenditures	Lapsed Balances
GENERAL REVENUE FUND-STATE						
Office of the Director personal service	\$ 991,511	818,306	173,205	1,136,890	902,416	234,474
Funding for local government/school district partnership programs	0	0	0	600,000	95,483	504,517
Regional Crime Labs	230,000	230,000	0	380,000	351,026	28,974
Office of the Director expense and equipment	325,842	255,367	70,475	494,363	127,793	366,570
Total General Revenue Fund-State	1,547,353	1,303,673	243,680	2,611,253	1,476,718	1,134,535
DEPARTMENT OF PUBLIC SAFETY - JAIBG FUND						
Juvenile Justice Accountability Incentive Block Grant program	6,419,607	4,820,217	1,599,390	6,419,607	5,128,259	1,291,348
Office of the Director personal service	39,467	38,669	798	39,251	39,237	14
Office of the Director expense and equipment	15,820	11,974	3,846	15,820	3,950	11,870
Total Department of Public Safety - JAIBG Fund	6,474,894	4,870,860	1,604,034	6,474,678	5,171,446	1,303,232
FACILITIES MAINTENANCE RESERVE FUND						
Operational maintenance and repairs for state-owned facilities	185,889	179,861	6,028	185,889	159,696	26,193
Total Facilities Maintenance Reserve Fund	185,889	179,861	6,028	185,889	159,696	26,193

Appendix A

DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF THE DIRECTOR  
COMPARATIVE STATEMENT OF APPROPRIATIONS AND EXPENDITURES

	Years Ended June 30,					
	2004			2003		
	Appropriation Authority	Expenditures	Lapsed Balances	Appropriation Authority	Expenditures	Lapsed Balances
DEPARTMENT OF PUBLIC SAFETY FUND						
Narcotics Control Assistance program	11,000,000	7,273,395	3,726,605	11,000,000	7,069,528	3,930,472
Victims of Crime program	9,000,000	7,242,057	1,757,943	9,000,000	6,712,275	2,287,725
Juvenile Justice Delinquency Prevention program	2,500,000	1,704,273	795,727	2,500,000	1,942,071	557,929
Office of the Director expense and equipment	222,774	63,507	159,267	193,774	35,023	158,751
Violence Against Women program	3,200,000	2,371,788	828,212	3,200,000	2,079,490	1,120,510
Juvenile Justice Challenge Grant program	350,000	193,734	156,266	350,000	115,247	234,753
Local Law Enforcement Block Grant program	800,000	775,652	24,348	800,000	799,405	595
Residential Substance Abuse Treatment program	1,227,000	1,227,000	0	1,227,000	956,972	270,028
Office of the Director personal service	349,914	302,905	47,009	333,254	248,857	84,397
National Forensic Sciences Improvement Act program	515,226	77,500	437,726	0	0	0
Total Department Public Safety Fund	29,164,914	21,231,811	7,933,103	28,604,028	19,958,868	8,645,160
MISSOURI CRIME PREVENTION INFORMATION AND PROGRAMMING FUND						
Office of the Director expense and equipment	50,000	910	49,090	50,000	1,410	48,590
Total Missouri Crime Prevention Information And Programming Fund	50,000	910	49,090	50,000	1,410	48,590
PEACE OFFICER STANDARDS AND TRAINING COMMISSION FUND						
POST Training	1,500,000	1,277,825	222,175	1,500,000	1,267,415	232,585
Total Peace Officer Standards And Training Commission Fund	1,500,000	1,277,825	222,175	1,500,000	1,267,415	232,585

# Appendix A

## DEPARTMENT OF PUBLIC SAFETY OFFICE OF THE DIRECTOR COMPARATIVE STATEMENT OF APPROPRIATIONS AND EXPENDITURES

	Years Ended June 30,					
	2004			2003		
	Appropriation Authority	Expenditures	Lapsed Balances	Appropriation Authority	Expenditures	Lapsed Balances
STATE FORENSIC LABORATORY FUND						
State Forensic Labs	266,000	184,693	81,307	266,000	248,845	17,155
Total State Forensic Laboratory Fund	266,000	184,693	81,307	266,000	248,845	17,155
SERVICES TO VICTIMS FUND						
State Services to Victims	3,700,000	2,314,730	1,385,270	3,700,000	3,136,507	563,493
Total Services To Victims Fund	3,700,000	2,314,730	1,385,270	3,700,000	3,136,507	563,493
CRIME VICTIMS COMPENSATION FUND						
Office of the Director expense and equipment	657,828	389,952	267,876	206,073	11,680	194,393
State Services to Victims	50,000	49,744	256	50,000	39,913	10,087
Office of the Director personal service	226,612	108,104	118,508	226,396	67,839	158,557
Total Crime Victims Compensation Fund	934,440	547,800	386,640	482,469	119,432	363,037
Total All Funds	\$ 43,823,490	31,912,163	11,911,327	43,874,317	31,540,337	12,333,980

The lapsed balances include the following withholdings made at the Governor's request:

	<u>Year Ended June 30,</u>	
	2004	2003
Office of the Director -		
Personal Service	\$ 59,490	191,720
Expense and Equipment	33,350	366,570
Funding for local government/school		
district partnership programs	0	504,516
Regional Crime Labs	0	28,950
	\$ 92,840	1,091,756

Appendix B

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE DIRECTOR

COMPARATIVE STATEMENT OF EXPENDITURES (FROM APPROPRIATIONS)

	Year Ended June 30,	
	2004	2003
Salaries and wages	\$ 1,267,984	1,258,348
Travel, in-state	20,263	20,037
Travel, out-of-state	34,662	17,456
Fuel and utilities	5,554	6,875
Supplies	70,347	50,193
Professional development	23,438	20,190
Communication services and supplies	43,398	41,054
Professional services	56,606	23,505
Housekeeping and janitorial services	877	397
Maintenance and repair services	28,951	29,976
Computer equipment	76,589	28,732
Motorized equipment	5,500	0
Office equipment	28,705	362
Other equipment	0	2,024
Property and improvements	180,006	159,718
Equipment rental and leases	2,250	1,565
Miscellaneous expenses	4,429	2,761
Program distributions	30,062,604	29,877,144
Total Expenditures	\$ 31,912,163	31,540,337